

# **PUBLIC WORKS COMMITTEE**

## **AGENDA**

### **TOWN OF CHINCOTEAGUE**

**8 August 2006 – 5:30 pm – Council Chambers – Town Hall**

CALL TO ORDER

ROLL CALL

AGENDA ADOPTION

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1. Consider approval of 11 July 2006 minutes. (Page 2 of 7)
2. Director's report
3. Consider request to waive availability fee – Lot 6A Pine Drive (Page 3 of 7)
4. Consider new application for water service connection (Page 6 of 7)
5. Public participation
6. Committee member comments

Adjourn

*DRAFT*  
Public Works Committee Meeting  
11 July 2006  
MINUTES

Chairman Wolffe called the meeting to order at 5:35 pm.

Present:       Hon. Glenn Wolffe, Chairman  
                  Hon. John Tarr, Mayor  
                  Hon. Terry Howard  
                  Mr. Michael Cosby, Public Works Director  
  
                  Mr. Robert Ritter  
                  Mr. David Ross  
                  Mr. J.W. Jeffries  
                  Mr. Ray Rosenberger

Mr. Howard made a motion to adopt the agenda as presented. Mr. Tarr seconded and the motion was unanimously approved.

1.       Consider approval of 13 June 2006 Minutes. Mr. Howard made a motion to approve the minutes as presented. Mr. Tarr seconded and the motion was unanimously approved.
2.       Update on the disposal of millings from the Harbor. Mr. Cosby reported that the millings are now gone and the parking spaces cleared for use by charter boat patrons. Mr. Jeffries stated that approximately 120 loads were removed and that we will receive \$14 per load.
3.       Status of Water Main projects. Mr. Cosby stated that the sprigging is completed and that the surge protection valve at the water plant was installed today. Mr. Cosby reported that we are still waiting for a quote for the air release valve for the Queens Sound bridge. Mr. Ritter stated that we would make the appropriate budget amendment when we determined the cost.
4.       Update on Student Government Day suggestions. Mr. Cosby explained that the proposed projects were not ready for a motion at present.
5.       Committee member comments. Dr. Wolffe requested that we add "Public Participation" as a monthly agenda item. Mr. Tarr requested that we add "Committee Member Comments" as a monthly agenda item.

Mr. Tarr moved to adjourn the meeting at 5:55 pm. Mr. Howard seconded and the motion was approved unanimously.

The next meeting is scheduled for Tuesday, 8 August 2006 at 5:30 pm.

July 25, 2006  
P. O. Box 276  
Chincoteague, VA 23336

TO: Town Planning Committee

RE: Water Hookup Pine Dr. 6A

Dear Sirs:

We would like to request a place on the agenda at your next Planning Meeting on August 8, 2006. The purpose of our request is to appeal a decision made by the Town Manager, Mr. Robert Ritter, regarding the issuance of a water hookup permit.

Here is a synopsis of events relating to this appeal:

March 29, 2006 – We were issued a Building Permit for Lot 6A on Pine Dr. The Septic Permit was already in place.

Week of July 17 – We called the Town Office inquiring about water hookup. We were told by an office clerk what was needed and that the cost had been increased from \$550.00 to \$3600.00 on April 20, 2006. She added that the office clerks had been randomly informing people of the increase as they picked up their Building Permits, etc. We were later told by a town official that workers at the town offices had told contractors and some people affected by the increase that it was to take place April 20..

Week of July 17 – We contacted our contractor, Mr. Bobby Umphlett, who informed us that he had not been informed of this increase.

July 21, 2006 – We spoke with Mr. Jeffries concerning the matter and he suggested meeting with the Town Manager to state our case.

July 24, 2006 – We met with the Town Manager Robert Ritter, Mr. Jeffries and Mr. Cosby. Also present was our contractor Mr. Umphlett. At this meeting:

We were informed that notices had been put in the Eastern Shore News and had been posted on the town website. Unfortunately, we are on and off the island a great deal and did not read the Eastern Shore News. A website notice is not pertinent since that is assuming that everyone has access to the internet.

Mr. Umphlett again assured everyone that he had not been told of the increase when he had picked up our Building Permit at the front desk of the town offices or at any other time.

Needless to say, we were totally unaware of the hookup increase. If we had been informed, we certainly would have had our application in well before the deadline. Not having built on the island before, we were waiting for our contractor to tell us when we should have the water hooked up.

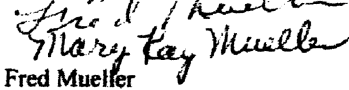
It became known during this meeting that we are the ONLY people in this particular situation, i.e. having had a building permit, – issued only 3 weeks before the increase - a septic permit and a water ready lot, but not having been informed of the pending increase and, therefore, not having the water permit.

We feel it is less than fair that the office clerks could mention the increase to contractors picking up building permits on such a random basis.. Perhaps it would have been less discriminating if a printed notice of the increase had been stapled to the front of each building permit issued within a 20 or 30 day period of the increase.

It was also mentioned that an exception could not be made for us or they would have other people coming forward for the same. But since we're the only ones that had all the required permits in order – but did not have the water permit before the increase, there would not be any other exceptions.

To reiterate, we would like to reserve time on your meeting agenda to come forward and further explain our situation and why we feel we deserve consideration to be given. Thank you for your time.

Sincerely,



Fred Mueller

Mary Kay Mueller

## MEMORANDUM

To: Public Works Committee

From: Mike Cosby, Public Works Director

Date: 4 August 2006

Subject: Discussion of issues – Availability fee, Lot 6A Pine Drive

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The availability fee was instituted by Council through the proper process, including a Public Hearing prior to adoption on 20 April 2006.

Before 20 April 2006, there was no concerted effort by the Town to inform people of the possible changes. It is entirely possible that some members of Town staff discussed the proposed changes with people they knew or people who came in to the office. It is also likely that some citizens or contractors followed the adoption process and anticipated that application prior to the institution of the new fee might be in their best interest. Lacking official adoption by Council, however, any decisions to apply before 20 April 2006 were speculative.

Approximately 25 applications were received prior to the 20 April 2006 change. I do not know how many of these were based on staff suggestions and how many were the result of perceptions of publicly available information.

Town staff has evaluated the applications received before 20 April 2006 based on the legal requirements in place before the change in fees. These requirements include the property being adjacent to an existing water main, as well as having septic approval and a platted parcel. The owners of the property in question met these requirements but did not make application prior to 20 April 2006.

Town staff obtained an opinion from an attorney regarding an application received prior to the fee changes in which she determined that it was appropriate to charge the applicant the old fees. Her conclusion was that he had “properly and fully established his request for water service at the connection fees in effect” on the date of his application. In this case, there was no application made so in my opinion it is difficult to conclude that the request was properly and fully established.

Another issue is the precedent that would be set by allowing this property to avoid the availability fee. I do not know how many lots there are at present that are platted, approved for septic and adjacent to a water main but it would seem like they should be evaluated in a similar fashion.

## **MEMORANDUM**

To: Public Works Committee

From: Mike Cosby Public Works Director

Date: 4 August 2006

Subject: Revised Application and Checklist for Water Connections

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Attached are the staff suggestions for the revision of the Application and Checklist for Water Service Connections. The new forms are intended to reflect recent changes in fees and procedures.

I am requesting a motion to recommend the new forms for adoption by Town Council or to return the documents to staff for further revision.



## WATER SERVICE CONNECTION CHECKLIST

**\* Only one (1) meter is permitted per parcel\***

### INSTALLATION

The meter will be generally located on the front lot line corner opposite the septic system and should be located so that no vehicular traffic is allowed to run over the meter. Applicants should discuss location with Water Department Personnel, if above does not provide a time frame for installation. Necessary information, availability in obtaining utility locates, and work schedule of the Public Works Department affect installation.

### WATERLINE EXTENSION

If there is not a water main adjacent to this parcel, a waterline extension may be necessary. If the connection is being made on a previous waterline extension, it may be necessary to reimburse the proportionate cost of the extension across your property to the person who had the extension installed. *(Subdivision Developers are not reimbursed)* Please see water main Extension check list.

### SERVICE ADDRESS

If the 911 address is not known or has not been determined, the Building Department should be contacted to obtain this information.

Availability Fee & Minimum Installation fee are:

	¾" Meter	1" Meter	2" Meter
Availability Fee	\$ 3,600.00	\$ 9,000.00	\$28,800.00
Min Install Fee	\$ 550.00	\$ 550.00	\$ 550.00

\* Larger Meters are available along with increased fees. Please contact Public Works for more information on the larger meter availability fee.

### Instructions / Check list

1. Applicant is to mark location of meter on site plan, subject to Public Works Approval
2. No Meter is to be installed in driveways
3. All return checks are subject to a \$25.00 service charge
4. Billing for service charges begins when meters are installed.
5. Lead time for installation is approximately 4-8 weeks after full payment is received
6. To discuss your request for service with a Town representative, please phone (757) 336-3366 for an appointment. Appointments will be made between the hours of 8 AM to 12 noon & 1 PM to 4 PM, Monday through Friday.
7. Please remember to include Accomack County Assessor's Parcel Number, Building Permit Number & Applicants Signature.

The above information is at a minimum, the Owner / Contractor is subject to adhere to all guidelines and fees that are in the Town of Chincoteague Code sections 62-86 through 62-89.

• DATE: \_\_\_\_\_ SS Number: \_\_\_\_\_

• SIGNATURE: \_\_\_\_\_